

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

IN RE:

MARK ROBERT ADKINS

Debtor.

Case No. 12-31051

Chapter 7

WITHDRAWAL OF MOTION TO THE EXTENT IT SEEKS APPROVAL OF A COMPROMISE AND SETTLEMENT, AND ABANDONMENT, AS TO CERTAIN REAL PROPERTY

COMES NOW the Trustee, by and through counsel, and withdraws part of his request for relief contained in that certain Motion to 1) Approve Compromise and Settlement, and Abandonment, as to Certain Non-Exempt Personal Property; 2) Approve Compromise and Settlement as to Tax Refunds; and 3) Approve Compromise and Settlement, and Abandonment, as to Certain Real Property, to the extent that the third request for relief seeks approval of a compromise and settlement, and abandonment, as to certain real property located in Chuluota, Florida. In support of this motion, the Trustee would show the Court the following:

1. On 30 November 2015 the Trustee filed a Motion to Approve Compromise and Settlement, and Abandonment as relates to certain items, including non-exempt personal property, tax refunds, and real property located in Chuluota , Florida.
2. Subsequent to filing the Motion to Approve Compromise and Settlement, the Trustee received and reviewed an offer for one (1) parcel of the real property located in the State of Florida, which said offer would generate funds to the estate substantially in excess of the funds being paid for abandonment.
3. The Trustee has filed his motion to approve the sale of the real property in Florida, said real property having an address of 839 Snow Queen Drive, Chuluota, Florida.
4. The other parcel of property located in Florida, and owned by the estate is 859 Snow Queen Drive, Chuluota, Florida which, in the opinion of the Trustee, does not have any value over and above the existing liens as to that property.
5. Because of the offer received subsequent to filing his motion, the Trustee wishes to remove from the effect of his Motion to Approve Compromise and Settlement filed on 30 November 2015 the request as to abandonment of the real property at 839 Snow Queen Drive, Chuluota, Florida.
6. As to the property at 859 Snow Queen Drive, Chuluota, Florida, the Trustee would move forward with abandonment of that property, without payment to the estate, as all indications are that the property at 859 Snow Queen Drive, Chuluota, Florida has a value equal to or less than the outstanding indebtedness as to that property, and it is burdensome to the bankruptcy estate due to maintenance, taxes, and insurance.

WHEREFORE, the Trustee does hereby withdraw that portion of his Motion to 1) Approve Compromise and Settlement, and Abandonment, as to Certain Non-Exempt Personal Property; 2) Approve Compromise and

Settlement as to Tax Refunds; and 3) Approve Compromise and Settlement, and Abandonment, as to Certain Real Property filed on 30 November 2015 as relates to the property at 839 Snow Queen Drive, Chuluota, Florida, and would request that the Court enter its order otherwise granting the motion, except as to 839 Snow Queen Drive, Chuluota, Florida.

This the 12th day of January, 2016.

/s/ R. Keith Johnson

R. Keith Johnson, Trustee

and Attorney for Trustee

NC State Bar No. 8840

1275 Highway 16 South

Stanley, North Carolina 28164

(704) 827-4200